

## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Ravindra K. Pandey et al.

Docket No.

RPP174AUS

Application No.  
10/607,922Filing Date  
June 27, 2003Examiner  
Chukwuma O. NwaonichaGroup Art Unit  
1621

Invention: FLUORINATED PHOTOSENSITIZERS RELATED TO CHLORINS AND BACTERIOCHLORINS FOR PHOTODYNAMIC THERAPY

I hereby certify that this Power of Attorney, Change of Correspondence Address & Statement Under 37 CFR 3.73(b)  
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306 )on October 12, 2004  
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Michael L. Dunn

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
POWER OF ATTORNEY

Name of Applicant: **Health Research, Inc.**  
Address of Applicant: **Elm & Carlton Streets**  
**Buffalo, New York 14263**

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Docket No.  
**RPP174AUS**

Title: **FLUORINATED PHOTOSENSITIZERS RELATED TO CHLORINS AND  
BACTERIOCHLORINS FOR PHOTODYNAMIC THERAPY**  
Serial No., If Any: **10/607,922**  
Filed: **June 27, 2003**

TO THE COMMISSIONER FOR PATENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

I hereby appoint:

**Robert P. Simpson, Esq., Reg. No. 33034**  
**R. Craig Kauffman, Esq., Reg. No. 20362**  
**C. Richard Lohrman, Esq., Reg. No. 46878**  
**Howard M. Ellis, Esq., Reg. No. 25856**  
**S. Peter Konzel, Esq., Reg. No. 53152**  
**Thomas J. Colson, Esq., Reg. No. 38848**  
**Michael L. Dunn, Esq., Reg. No. 25330**  
**Sumita Chowdhury-Ghosh, Ph.D., Reg. No. 50476**  
**C. Paul Maliszewski, Reg. No. 51990**

all of the firm of:

**Simpson & Simpson, PLLC**  
**5555 Main Street**  
**Williamsville, New York 14221**

**Customer No. 24041**

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

**Michael L. Dunn**  
**Simpson & Simpson, PLLC**  
**5555 Main Street**  
**Williamsville, New York 14221**  
**(716) 626-1564 Phone**  
**(716) 626-0366 Fax**

By:

*Joseph H. Jurkowski*  
**Joseph H. Jurkowski, Ph.D.**  
**Director of Operations**  
**Health Research, Inc.**  
**Elm & Carlton Streets**  
**Buffalo, New York 14263**

Dated: October 6, 2004

PTO/SB/96 (06-04)

Approved for use through 07/31/2006. OMB 0851-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Health Research, Inc.Application No./Patent No.: 10/607,922Filed/Issue Date: June 27, 2003Entitled: **FLUORINATED PHOTOSENSITIZERS RELATED TO CHLORINS AND BACTERIOCHLORINS FOR PHOTODYNAMIC THERAPY**Health Research, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document (s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Joseph H. Jurkowski

Printed or Typed Name

Director of Operations

Title

October 4, 2004

Date

716-845-2312

Telephone number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 4/7 \* RCVD AT 10/12/2004 3:53:32 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/5 \* DNIS:8729306 \* CSID:1716 626 0366 \* DURATION (mm:ss):02:48

Atty. Dkt. No. 25886-0094

Form PTO-1595

RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of Conveying party(ies):

PANDEY, Ravindra K.  
POTTER, William R.  
DOUGHERTY, Thomas J.

## 2. Name and address of receiving Party(ies)

HEALTH RESEARCH, INC.  
Elm and Carlton Streets  
Buffalo, New York 14263

Additional name(s) & address(es) attached? Yes  NoAdditional name(s) of conveying party(ies) attached? Yes  No

## 3. Nature of conveyance:

Assignment       Merger  
 Security Agreement       Change of name  
 Other \_\_\_\_\_

Execution Date: Pandey, 7/30/2003; Potter, 6/23/2003; Dougherty, 6/30/2003

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):  
10/607,922

B. Patent No.(s)

Additional numbers attached? Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Stephanie L. Seidman  
HELLER EHRLMAN WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive  
7th Floor  
San Diego, CA 92122-1246

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00  
 Check enclosed  
 Authorized to charge any underpayment to deposit account

8. Deposit account Number: 50-1213

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephanie L. Seidman  
Name of Person Signing  
Registration No. 33,779

Signature08/29/2003  
DateTotal number of pages including cover sheet, attachments, and document: 4

Attny Docket No. 25886-0094

ASSIGNMENT

We, RAVINDRA K. PANDEY, a citizen of <sup>USA</sup> ~~India~~ residing at 75 Lemay Court, ~~75 Lemay Court~~ Williamsville, New York 14221; WILLIAM R. POTTER, a citizen of the United States of America residing at 2413 West River Road, Grand Island, New York 14072; and THOMAS J. DOUGHERTY, a citizen of the United States of America residing at 2306 West Oakfield, Grand Island, New York 14072, for good and valuable consideration, have assigned and do hereby assign to **HEALTH RESEARCH, INC.**, a corporation organized under the laws of New York, having a principal business address of Elm and Carlton Streets, Buffalo, New York 14263, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/607,922, entitled:

**FLUORINATED PHOTOSENSITIZERS RELATED TO CHLORINS AND  
BACTERIOCHLORINS FOR PHOTODYNAMIC THERAPY**

which was filed on June 27, 2003, (applicant's attorney is authorized to enter application number and filing date after execution of this document) and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters

**ASSIGNMENT**  
Pandey et al.

Atty Docket No. 25886-0094

Patent, the above application for Letters Patent claiming priority from United States Provisional Patent Application Serial No. 60/392,473, filed on June 27, 2002.

We agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

Date: July 30, 2003*Ravindra K. Pandey*

RAVINDRA K. PANDEY

STATE OF New York )  
) SS.  
COUNTY OF Erie )

On July 30, 2003, before me, the undersigned, a notary public for the State of New York, personally appeared RAVINDRA K. PANDEY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

*Charles Siewert*

Notary Public

CHARLES SIEWERT  
Notary Public, State of New York  
No. 01S16051542  
Qualified in Erie County  
My Commission Expires Dec 4, 2006

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State of New York, personally appeared THOMAS J. DOUGHERTY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

*Charles Siewert*

Notary Public  
CHARLES SIEWERT  
Notary Public, State of New York  
No. 01S16051542  
Qualified in Erie County  
My Commission Expires Dec 4, 2006

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